Mr. Ramanna said that under the Hindu Law the right to inherit was dependent on the obligation to perform funeral ceremonies. If a man refused to perform his part of the implied contract, he could not claim the inheritance. Such a law would be directly opposed to the Queen's Proclamation of 1858.

Mr. Raghavachar pointed out that the British Indian Act of 1850 was passed under the East India Company and before the Queen's Proclamation of 1858 and without ascertaining public opinion. He also referred to the principle of Hindu Law under which the right to inherit went with the right to offer *pindas* to the manes of the ancestors. If the new law was passed, a convert son would claim a share in the family idols and images, and perhaps be eating meat and doing other objectionable things in one part of the house while in another the other members were engaged in religious worship.

Mr. Venkatakrishnaiya said that in all countries converts were not given what were theoretically called their natural rights, and made reference to the case of Mr. Le Mesurier who was removed from the Government service, and to that of Mrs. Annie Besant to whom the English Courts refused the right of guardianship over her children.

Messrs. Hassan Ali Beg, Turuvekere Naranappa, Hanumanta Rao, Anniah Pandit and Gorur Srinivasa Murti also spoke briefly against the Regulation.

Mr. Ramanna added that Her Highness the late Regent had given her opinion against the measure.

Reply of Government.—All the objections urged will be considered. Objections as to the details of the Draft Regulation need not be pressed, as in several cases they might perhaps be easily met. The main point is that the general sentiment of the Assembly is distinctly against the passing of the proposed measure; and this will be duly noted.

SUBJECT No. 2.

The Mines Regulation.

Summary of discussion.—Mr. H.V. Bhima Rao said that that the new Regulation infringed the fundamental principle a man should be presumed to be innocent till he is proved to be guilty; that the liberty of a large number of people in the whole State was at the mercy of the subordinate Police; and that such a Regulation was not in force in British India. It was also represented that the possession of gold ornaments was rendered illegal; that the extension of the Regulation to unwrought gold would surely cause hardship, etc.

The Dewan explained that the Regulation of 1897 cast the onus of proof on the accused in certain circumstances; that this principle therefore was not an innovation newly

introduced by the law of 1906; that the absence of similar legislation in British India was due to the absence of gold mines on a large scale beyond Mysore; that similar legislation was in force in the self-governing British Colonies of Victoria and West Australia and the Transvaal, where they applied to the whole of those colonies; that, in regard to its restrictive provisions, the Mysore Mining Regulation of 1906, just like its predecessor of 1897, applied only to a small area of 200 square miles around the mining area, and not to the whole of the State as was generally misunderstood; and that the Regulation did not apply to wrought gold in the form of ornaments, etc., as was wrongly supposed. The bulk of the population at the Fields was dependent on the mining industry and might with reason suffer some inconvenience for the protection of the industry by which it subsisted. The State as a whole derived considerable benefit from the mining industry and ought to provide for its adequate protection. The Dewan also assured the Assembly that Government would see that undue hardship was not caused, and malicious prosecutions were not instituted, and that needful changes dictated by actual experience would be made as occasion arose.

Some of the members represented that the Regulation should not be extended to other parts of the State where gold or other mines were or might be worked. The Dewan replied that it was not possible to give such an assurance, and that, in the event of mines in other places being worked on as large a scale as the Kolar Mines, and if there should be equal necessity, the Government would be bound to protect the industry in a similar way by extending the Regulation to such places.

Mr. Raghavachar desired that silver-smiths might be exempted from obtaining licenses; but it was observed that such an exemption was not possible, as a silver-smith was equally capable of working in gold.

The Dewan also explained that the Regulation was not published in draft through a regrettable oversight, probably because it was considered to be merely an amending enactment.

Thereupon some of the members expressed themselves satisfied with the explanations given, which removed various misconceptions as to the extent and scope of the Regulation, and with the assurance given that it would be seen that hardship was not caused to the people.

Mr. Sitaramaiya of Shimoga objected to Section 16 of the Regulation as likely to cause hardship to innocent people. The Second Councillor explained that the local

circumstances of the mining camps rendered such a provision necessary. Mr. Sitaramaiya still urged that the section was objectionable and should be repealed, and the Dewan promised to note the representation and consider it when a further amendment of the Regulation came under consideration.

Mr. Ramachar presented a written representation on the subject.

Several other members also took part in the discussion.

Reply of Government.—The representations made will be noted and considered in the light of actual experience when the time comes to further amend the law.

SUBJECT NO. 3.

A Legislative Council for Mysore.

Messrs. B. Kesavaiengar, Kesavadasaiengar, Amble Anniah Pandit, Laksminarasimhachar, S. R. Balakrishna Rao, B.A., LL.B., A. Narasimmaiengar, C. Srinivasa Rao and A. Ramanna.

Summary of discussion.—The establishment of a Legislative Council is necessary. This Assembly is now twenty-five years old and people have considerably improved. It is high time for establishing such a Council. In addition to official members being nominated by Government, one non-official member for each district may be selected. The Representative Assembly should be given the right to elect a certain number of members. The existence of the Legislative Council should not however interfere with the utility and importance of the Representative Assembly.

Reply of Government.—The representation is noted and will be considered. If a Legislative Council is established, it will not affect the usefulness of the Representative Assembly.

SUBJECT NO. 4.

Introduction of the Hindu Wills Act and Probate and Administration Act.

Messrs. B. Kesavaiengar, Kesavadasaiengar Belur Taluk, and S. R. Balakrishna Rao, Shimoga.

Summary of discussion.—The introduction of (1) The Hindu Wills Act is prayed for; also (2) The Probate and Administration Act.

Mr. Balakrishna Rao presented a note on the subject prepared by Mr. C. Krishna Murti.

Reply of Government.—Noted.

SUBJECT NO. 5.

Transfer of Property and Mamalatdars' Acts to be introduced.

Messrs. B. Kesavaiengar, Kesavadasaiengar and S. R. Balakrishna Rao.

Summary of discussion.—The following Acts may be brought into force in Mysore:—

1. The Transfer of Property Act, 1882.
2. The Mamalatdars' Act.

Mr. Balakrishna Rao, on the other hand, spoke against the introduction of the Mamalatdars' Act, and said that Section 9 of the Specific Relief Act and Section 145 of the Code of Criminal Procedure gave sufficient relief; and added that in Bombay there was a good deal of opposition against the bill recently introduced to amend that Act. He presented a copy of a memorial addressed by the Bombay Presidency Association to the Legislative Council against the Act. He also suggested that if the